

United States District Court

FOR THE
NORTHERN DISTRICT OF CALIFORNIA

VENUE: SAN FRANCISCO

UNITED STATES OF AMERICA,

V.

CR 18 463

CRB

FILED

SEP 27 2018

SUSAN Y. SOONG
CLERK, U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

VICTOR TURK,

DEFENDANT(S).

INDICTMENT

21 U.S.C. § 841(a)(1) and (b)(1)(B) - Possession with Intent to Distribute Fifty Grams and More of Methamphetamine;
18 U.S.C. § 924(c)(1)(A)-Carrying and Possessing a Firearm During and in Furtherance of Drug Trafficking Crime;
18 U.S.C. § 924(d) and 21 U.S.C. § 853 - Criminal Forfeiture

A true bill.

Leah Fox

Foreman

Filed in open court this 27th day of

Sept, 2018

ROSE MAHER

Clerk

Thomas S. Hixson
Thomas S. Hixson

Bail, \$

NO BAIL WARRANT

DEFENDANT INFORMATION RELATIVE TO A CRIMINAL ACTION - IN U.S. DISTRICT COURT
 BY: ☐ COMPLAINT ☐ INFORMATION ☒ INDICTMENT
☐ SUPERSEDING
OFFENSE CHARGED

21 U.S.C. §§ 841(a) & (b)(1)(B) – Possession with Intent to Distribute Fifty Grams and More of Methamphetamine

18 U.S.C. § 924(c) – Carrying or Possessing a Firearm During or in Furtherance a Drug Trafficking Crime

☐ Petty
☐ Minor
☐ Misdemeanor
☒ Felony

PENALTY: Please See Attachment.

Name of District Court, and/or Judge/Magistrate Location

NORTHERN DISTRICT OF CALIFORNIA

SAN FRANCISCO DIVISION

DEFENDANT - U.S.

Victor Turk

DISTRICT COURT NUMBER

 FILED CR 18 463 CRB
 SEP 27 2018
DEFENDANT**PROCEEDING**

Name of Complainant Agency, or Person (& Title, if any)

ATF, Special Agent Daniel Garza

☐ person is awaiting trial in another Federal or State Court, give name of court

☐ this person/proceeding is transferred from another district per (circle one) FRCrp 20, 21, or 40. Show District

☐ this is a reprosecution of charges previously dismissed which were dismissed on motion of:

☐ U.S. ATTORNEY ☐ DEFENSE

SHOW DOCKET NO.

☐ this prosecution relates to a pending case involving this same defendant

MAGISTRATE CASE NO.

☐ prior proceedings or appearance(s) before U.S. Magistrate regarding this defendant were recorded under

Name and Office of Person

Furnishing Information on this form Alex. G. Tse

☒ U.S. Attorney ☐ Other U.S. Agency

Name of Assistant U.S.

Attorney (if assigned)

Casey Boome

IS NOT IN CUSTODY
☐ Has not been arrested, pending outcome this proceeding.
☐ If not detained give date any prior summons was served on above charges
2) ☐ Is a Fugitive3) ☐ Is on Bail or Release from (show District)**IS IN CUSTODY**4) ☐ On this charge5) ☐ On another conviction
☐ Federal ☐ State
6) ☒ Awaiting trial on other charges

If answer to (6) is "Yes", show name of institution

County Jail 5 (1 Moreland Drive, San Bruno, CA)

 Has detainer been filed? ☐ Yes ☒ No

If "Yes" give date filed

DATE OF ARREST

Month/Day/Year

Or... if Arresting Agency & Warrant were not

DATE TRANSFERRED TO U.S. CUSTODY

Month/Day/Year

☐ This report amends AO 257 previously submitted
ADDITIONAL INFORMATION OR COMMENTS**PROCESS:**
☐ SUMMONS ☐ NO PROCESS* ☒ WARRANT

Bail Amount: No Bail

If Summons, complete following:

☐ Arraignment ☐ Initial Appearance

Defendant Address:

* Where defendant previously apprehended on complaint, no new summons or warrant needed, since Magistrate has scheduled arraignment

Date/Time: Before Judge:

Comments:

Attachment to Penalty Sheet for Defendant VICTOR TURK

Count One: 21 U.S.C. §§ 841(a) & (b)(1)(B) – Possession with Intent to Distribute Fifty Grams and More of Methamphetamine

Maximum Penalties: at least 5 years and up to 40 years in prison; \$5,000,000 fine; at least 4 years and up to lifetime supervised release; \$100 mandatory special assessment; and potential forfeiture of assets.

Count Two: 18 U.S.C. § 924(c) – Carrying or Possessing a Firearm During or in Furtherance a Drug Trafficking Crime

Maximum Penalties: at least 5 years and up to life in prison, consecutive to any sentence of imprisonment imposed pursuant to a conviction on the underlying drug offense; up to five years of supervised release; \$100 mandatory special assessment; and potential forfeiture of assets.

ALEX G. TSE (CABN 152348J)
United States Attorney

FILED

SEP 27 2018

SUSAN Y. SOONG
CLERK, U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

CR 18 463 CRB

UNITED STATES OF AMERICA,

Plaintiff,

v.

VICTOR TURK,

Defendant.

CASE NO.

VIOLATIONS:

21 U.S.C. §§ 841(a)(1) and (b)(1)(B) – Possession
with Intent to Distribute Fifty Grams or More of
Methamphetamine;
18 U.S.C. § 924(c)(1)(A) – Carrying and Possessing a
Firearm During and in Furtherance of a Drug
Trafficking Crime;
18 U.S.C. § 924(d) and 21 U.S.C. § 853 – Criminal
Forfeiture.

SAN FRANCISCO VENUE

INDICTMENT

The Grand Jury charges:

COUNT ONE: (21 U.S.C. §§ 841(a)(1) and (b)(1)(B) – Distribution and Possession with Intent to Distribute Fifty Grams or More of Methamphetamine)

On or about August 10, 2018, in the Northern District of California, the defendant,

VICTOR TURK,

did knowingly and intentionally distribute and possess with intent to distribute a Schedule II controlled substance, to wit: fifty grams or more of a mixture and substance containing a detectable amount of methamphetamine, its salts, isomers, and salts of its isomers, in violation of Title 21, United States Code, Sections 841(a)(1) and 841(b)(1)(B).

1 COUNT TWO: (18 U.S.C. § 924(c) – Carrying and Possessing a Firearm During and in Furtherance of a
2 Drug Trafficking Crime)

3 On or about August 10, 2018, in the Northern District of California, the defendant,

4 VICTOR TURK,

5 did knowingly carry a firearm, that is, one .38 caliber revolver bearing serial number AN110688, during
6 and in relation to the drug trafficking crime charged in Count One of this Indictment, and did knowingly
7 possess said firearm in furtherance of the drug trafficking crime charged in Count One of this
8 Indictment, in violation of Title 18, United States Code, Section 924(c)(1)(A).

9 FORFEITURE ALLEGATIONS: (18 U.S.C. § 924(d), 21 U.S.C. § 853, and 28 U.S.C. § 2461(c))

10 The allegations contained above in this Indictment are re-alleged and incorporated by reference
11 for the purpose of alleging forfeiture pursuant to Title 18, United States Code, Section 924(d); Title 21,
12 United States Code, Section 853; and Title 28, United States Code, Section 2461(c).

13 Upon conviction of the offense alleged in Count One above, the defendant,

14 VICTOR TURK,

15 shall forfeit to the United States, pursuant to Title 21, United States Code, Section 853(a), all right, title,
16 and interest in any property constituting or derived from any proceeds the defendant obtained, directly or
17 indirectly, as a result of said violation, and any property used, or intended to be used, to commit or to
18 facilitate the commission of such violation, including but not limited to the following property:

- 19 a. one (1) .38 caliber revolver bearing serial number AN110688;
20 b. all ammunition seized in or with the firearm, including but not limited to forty-
21 five (45) rounds of Winchester .38 caliber ammunition;
22 c. \$3,639 in United States Currency; and
23 d. one (1) digital scale.

24 Upon conviction of any offense alleged in Count Two, the defendant,

25 VICTOR TURK,

26 shall forfeit to the United States, pursuant to Title 18, United States Code, Section 924(d) and Title 28,
27 United States Code, Section 2461(c), any firearm and ammunition involved in the commission of the
28 offense, including, but not limited to the following property:

- a. one (1) .38 caliber revolver bearing serial number AN110688; and
b. all ammunition seized in or with the firearm, including but not limited to forty-five (45) rounds of Winchester .38 caliber ammunition.

If any of the property described above, as a result of any act or omission of the defendant:

- a. cannot be located upon exercise of due diligence;
b. has been transferred or sold to, or deposited with, a third party;
c. has been placed beyond the jurisdiction of the court;
d. has been substantially diminished in value; or
e. has been commingled with other property which cannot be divided without difficulty,

the United States of America shall be entitled to forfeiture of substitute property pursuant to Title 21, United States Code, Section 853(p), as incorporated by Title 28, United States Code, Section 2461(c). All pursuant to 18 U.S.C. § 924(d) and 28 U.S.C. § 2461(c).

DATED: Sept. 27, 2018

A TRUE BILL.

Linda Joy
FOREPERSON

ALEX G. TSE
United States Attorney

Daniel Kaleba
DANIEL KALEBA
Deputy Chief, Criminal Division

(Approved as to form: Casey Boome)
AUSA Casey Boome